



PUBLIC NOTICE

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DA 99-3008
Released: December 27, 1999

FCC Seeks Comment on SkyBridge and FWCC *Ex Parte* Filings on Regulatory Scheme for Shared Use of the 10.7-11.7 GHz Band (ET Docket No. 98-206)

On December 8, 1999, SkyBridge L.L.C. ("SkyBridge") and the Fixed Wireless Communications Coalition ("FWCC") filed *ex parte* comments in ET Docket No. 98-206 concerning an agreement between the parties for shared use of the 10.7-11.7 GHz band. The parties filed supplementary *ex parte* comments on their agreement on December 22, 1999. SkyBridge is an applicant for a non-geostationary satellite orbit fixed satellite service (NGSO FSS) license in the 10.7-11.7 GHz band; the FWCC represents a variety of fixed service (FS) operations in the same band.

The Commission proposed in ET Docket No. 98-206 (*Notice of Proposed Rulemaking (NPRM)*, FCC 98-310, released November 24, 1998) to allow NGSO FSS systems to use the 10.7-11.7 GHz band for gateway earth station downlink (space-to-Earth) operations. To promote sharing of spectrum between incumbent FS and proposed NGSO FSS operations, the Commission proposed to adopt several requirements, including definitional criteria for gateway earth stations, technical criteria for NGSO FSS operations, coordination criteria, and siting restrictions (exclusion zones) for gateway earth stations. The Commission also proposed that NGSO FSS gateway earth stations be allowed to use other frequency bands for uplink (Earth-to-space) use, including the 12.75-13.25 GHz, 13.8-14.0 GHz, and 14.4-14.5 GHz bands.

The SkyBridge/FWCC sharing agreement proposes a different regulatory scheme for spectrum sharing than proposed in the *NPRM*. The agreement includes: definitional criteria for NGSO FSS gateway earth stations, and, in lieu of the proposed exclusion zones, criteria for identifying FS "growth zones." Under the agreement, the location of NGSO FSS gateway earth stations would not be restricted, but the NGSO FSS operator would assume certain obligations, described in the agreement, that would protect the FS from interference in the "growth zones."

For *ex parte* purposes, this proceeding, as well as any comments filed in response to this *Public Notice*, continues to be a "permit-but-disclose" proceeding, in accordance with Section 1.1200(a) of the Commission's rules, and is subject to the requirements under Section 1.1206(b) of the rules.

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties are invited to file comments no later than January 12, 2000. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed.Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, parties responding should include their full name, mailing address, and the applicable docket number (ET Docket No. 98-206). Interested parties also are asked to file one paper copy of their comments with the Policy and Rules Division, Office of Engineering and Technology (OET).

For further information, contact Tom Derenge, OET at (202) 418-2451, or Rodney Small, OET at (202) 418-2452.